

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL ACTION NO. 5:15-cr-00085-01

PAULA K. GREEN,

Defendant.

ORDER

Pursuant to 28 U.S.C. §636(b) and by consent of the parties, this matter was referred to the Honorable R. Clarke VanDervort, United States Magistrate Judge, for purposes of the Defendant entering a plea of guilty. (Document 53). At the plea hearing held on October 30, 2015, the Defendant voluntarily waived her right to have an Article III Judge preside over her guilty plea, instead proceeding in front of Magistrate Judge VanDervort.


In accordance with 28 U.S.C. § 636(b)(1)(C) and Local Rule of Criminal Procedure 59.4(d), the Magistrate Judge prepared a *Proposed Findings and Recommendation Concerning Plea of Guilty in Felony Case* (PF&R) (Document 57) for this Court's review. Therein, the Magistrate Judge recommends that the Court find that there is a sufficient factual basis for the Defendant's plea of guilty; that her plea was knowing and voluntary; and that she understood the rights she was giving up by pleading guilty. He further recommends that the Defendant be adjudged guilty of the three felony charges against her, as set forth in Counts One, Two, and Five

of the Indictment, and that the Court accept her plea of guilty conditionally, pending receipt and review of both the PF&R and a Presentence Investigation Report.

Objections to the PF&R were due on November 20, 2015. Neither party has filed objections. Accordingly, following careful review, the Court hereby **ADOPTS** and incorporates herein the findings and recommendation of the Magistrate Judge as contained in the *Proposed Findings and Recommendation Concerning Plea of Guilty in Felony Case* (Document 57) and **ORDERS** that the Defendant's plea of guilty be **ACCEPTED**, and that she be **ADJUDGED GUILTY** of Counts One, Two, and Five of the Indictment.

The Court **DIRECTS** the Clerk to send a copy of this Order to Magistrate Judge R. Clarke VanDervort, to the Defendant and counsel, to the United States Attorney, to the United States Probation Office, and to the Office of the United States Marshal.

ENTER: December 1, 2015


IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA